

MEMORANDUM
FILED

TO: Honorable Alice M. Batchelder
Sixth Circuit Court of Appeals
Potter Stewart U.S. Courthouse
100 East Fifth Street
Cincinnati, Ohio 45202

2008 SEP -5 A 10: 59

FROM: U.S. District Judge Curtis L. Collier

SUBJECT: Advance Authorization for Investigative, Expert or Other Services

It is requested that authorization be granted to obtain services in an amount in excess of the maximum allowed under the provisions of subsection (e)(3) of the Criminal Justice Act, 18 U.S.C. § 3006A, as follows:

Case Name & Designation: USA vs. Gary Johnson - Case No. 1:07-cr-87-001

Name of Expert or Investigator: Psychiatrist Mark W. Peterson, M.D.

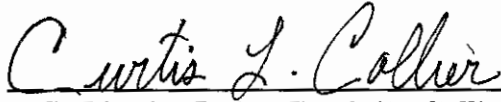
Address: One Northgate Park, Suite 201, Chattanooga, Tennessee 37415.

Type of Expert: The Bureau of Prisons evaluated defendant and concluded he is not currently competent to stand trial and recommended that defendant be returned to the BOP for treatment and further assessment regarding sanity and mental capacity at the time of the offense [Doc. 47]. Defendant's counsel states in her Motion for Authorization of Psychiatric Services in Excess of the \$1,600 Currently Allotted for Psychiatric Expert Services and Affidavit [Doc. 44 & 45] that psychiatric expert services are necessary because of particular issues present in defendant's case pertaining to his current condition and his condition at the time of the alleged offenses. Counsel for defendant states a psychiatric expert is needed to assist counsel in evaluating defendant's mental condition including his competence, sanity and mental capacity at the time of the offense, preparing necessary reports, testifying, and conducting independent competency and sanity evaluations. The reasons and further details for the application are set out in the attached Motion for Authorization of Psychiatric Services in Excess of the \$1,600 Currently Allotted for Expert Services and Affidavit [Doc. 44 & 45].

Reason for Application: Previously, a total of \$3,200 has been approved for investigative services. On August 5, 2008 the Court approved expenses up to \$1,600 for psychiatric expert services under 18 U.S.C. § 3006 (A)(e)(3) [Doc. 48]. After consultation with counsel for defendant, the Court has determined that counsel is requesting an additional \$1,400.00 for psychiatric expert services for a total approved amount of \$3,000.00 for psychiatric expert services.

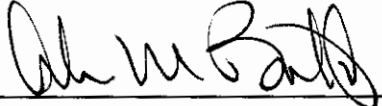
Estimated Compensation. \$3,000.00 for psychiatric expert services.

I certify that the estimated compensation in excess of the maximum set forth in subsection (e)(3) of the Criminal Justice Act appears necessary to provide fair compensation for services of an unusual character or duration and therefore recommend approval of this authorization in the amount of an additional \$1,400.00.



U.S. District Judge Curtis L. Collier

Date



Honorable Alice M. Batchelder
U.S. Court of Appeals

8-29-08

Date